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Shoshana Grove
Secretary of the Commission
Postal Regulatory Commission
901 New York Avenue, N.W., Suite 200
Washington, D.C. 20268-0001

Re: Appeal of revised Final Determination of Evansdale, Iowa Branch
- Evansdale, Iowa 50707

Dear Ms. Grove:

Mayor Chad Deutsch of Evansdale, Iowa, through undersigned counsel, appeals the revised final determination of the United States Postal Service to close the Evansdale Branch, which is located in Evansdale, Iowa. The revised final determination was signed by Gregory G. Graves, Vice President, Delivery and Post Office Operations, on October 25, 2012. Mayor Deutsch was served by the Evansdale Post Office. The address for the office of Mayor Deutsch is 123 North Evans Road, Evansdale, Iowa 50707.

A letter dated October 31, 2012, from Sharon Parkison, Manager, Post Office Operations, Cedar Rapids, Iowa, addressed to Postal Customer states that “[t]his informs you that a revised final determination to discontinue the suspended Evansdale Branch has been posted at the Waterloo Post Office. The final determination provides that the Evansdale Branch will be permanently closed.”

There was a previous petition to the Commission about the Evansdale Branch. The previous petition was Docket No. A2011-103. By Order No. 1141, issued on January 18, 2012, the Commission remanded the final determination to close the Evansdale post office for further consideration.

The revised final determination states that:

The Evansdale Branch is currently in suspended status and will be permanently closed after the implementation of this final determination. This final determination revises and updates a previous final determination that was remanded by Postal Regulatory Commission Order No.

1141 so as to address concerns raised by the Commission.

It is unclear what procedure the Postal Service followed in suspending the Evansdale Branch. A footnote in the revised final determination states that “[t]he Evansdale Branch was suspended after the posting date of the original final determination.” It appears that the Postal Service did not follow suspension procedures for the Evansdale Branch. Further, the Evansdale Branch was closed while the previous appeal was pending before the Commission. It is not clear by what process the Evansdale Branch went from being closed to being suspended and now planned to be closed again.

Petitioner Deutsch requests that the planned closing of the Evansdale Branch be suspended while this appeal is pending. According to the Postal Service, the Evansdale Branch is currently in suspended status. The Evansdale Branch should not be permanently closed until the appeal is concluded.

The only advantage listed for the proposed closing is:

Savings for the Postal Service contribute in the long run to stable postage rates and savings for customers while ready access to essential postal services is retained.

This purported advantage is not supported by the record. It is merely the boilerplate language used by the Postal Service on many of the final determinations when the Postal Service was following its previous plan to close post offices, rather than to reduce hours. This purported advantage is not based on any specific information about the Evansdale Branch.

It is not known what procedures the Postal Service used in reviewing and revising the final determination after remand from the Commission. The Postal Service apparently did not contact customers, ask for comments from customers or hold a community meeting. The postal customers of Evansdale were essentially left guessing what would happen after the remand from the Commission.

The notice to the customers about the revised final determination was a letter dated October 31, 2012. The letter states that the revised final determination to discontinue the suspended Evansdale Branch has been posted at the Waterloo Post Office. There is no explanation as to why the revised final determination was posted at the Waterloo Post Office rather than at the Evansdale Branch.

The October 31, 2012, letter states that “[w]e appreciate the comments and concerns you provided throughout the discontinuance process, and we intend to continue to provide superior service to our customers.” Even though the letter said that the Postal Service appreciates the comments and concerns from the postal customers, the Postal Service apparently failed to ask for comments from the postal customers after the remand. The process used by the Postal Service after the remand is unknown. There was no transparency or information about the discontinuance process after the remand.

In preparing the revised final determination, the Postal Service apparently failed to reevaluate the factors set out in 39 U.S.C. § 404(d)(2)(A). Although it is not clear what efforts the Postal Service made after the remand, it appears that the Postal Service did not conduct a new review or analysis of the required factors. Even though the Evansdale Branch had already been closed, there was no information in the revised final determination about the effects on the community, whether adequate service was being provided and what economic savings had been realized as a result of the closing.

In Order No. 1141 remanding the final determination, the Commission found that the Postal Service had claimed savings that would not be realized for at least 4 years. The Commission stated that the result of that claimed savings was not consistent with § 404(d)(2)(A)(iv).

In the revised final determination, the estimate of cost savings was determined for a ten-year period. The use by the Postal Service of a ten-year period to estimate savings is not consistent with § 404(d)(2)(A)(iv). If the Commission found that a four-year time period was not proper to determine cost savings, then a ten-year time period certainly is not proper.

Further, the largest item of savings claimed by the Postal Service was EAS Craft & Labor. However, the Postal Service stated that the sole employee assigned to the Evansdale Branch transferred to a vacant position within the administrative office of the Waterloo Post Office. In Order No. 1141, the Commission found that there would be no cost savings if the employee was simply being transferred to another facility. In the revised final determination, the Postal Service failed to explain the basis for the claimed savings for EAS Craft & Labor.

The Postal Service has not adequately considered all requirements of 39 U.S.C. § 404(d). As a result, the Postal Service's determination to close the Evansdale post office should be remanded for further consideration.

Respectfully submitted,

/s/ Elaine Mittleman

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